

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION  
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT  
SECURITIES LLC,

Defendant.

In re:

BERNARD L. MADOFF,

Debtor.

Adv. Pro. No. 08-01789 (SMB)

SIPA Liquidation

(Substantively Consolidated)

**DECLARATION OF VINEET SEHGAL IN SUPPORT OF THE TRUSTEE'S MOTION  
AND MEMORANDUM OF LAW TO AFFIRM HIS DETERMINATIONS DENYING  
CLAIMS OF CLAIMANTS HOLDING INTERESTS IN AHT PARTNERS,  
PERGAMENT EQUITIES, LLC, SMT INVESTORS LLC,  
GREENE/LEDERMAN, L.L.C., AND TURBO INVESTORS, LLC**

I, Vineet Sehgal, pursuant to 28 U.S.C. § 1746, declare as follows:

1. I am a Managing Director at AlixPartners LLP ("AlixPartners"), a consultant to, and claims agent for, Irving H. Picard as trustee (the "Trustee") for the substantively consolidated liquidation of the business of Bernard L. Madoff Investment Securities ("BLMIS") and Bernard L. Madoff ("Madoff").

2. In December, 2008, AlixPartners was retained by the Trustee as the Trustee's claims agent. As the claims agent, AlixPartners was responsible for both mailing the notice of the liquidation and claim forms to potential claimants and causing the notice of the liquidation to be published. AlixPartners has also been responsible for processing all claims submitted to the Trustee and assisting the Trustee in reviewing each customer claim filed to determine whether the asserted claim amount agrees with the "net equity" for that account. In addition, as

the accountants for the BLMIS estate, AlixPartners has assisted and continues to assist the Trustee in accounting for the assets of the BLMIS estate, including the cash and cash equivalents available to the Trustee.

3. I have been actively involved in the liquidation of BLMIS and the claims process since December 2008 and have personal knowledge of the matters set forth herein.

4. I submit this declaration based upon the information and knowledge acquired during the course of my retention and in support of the Trustee's Motion and Memorandum to Affirm His Determinations Denying Claims of Claimants Holding Interests in AHT Partners, Pergament Equities, LLC, SMT Investors LLC, Greene/Lederman, L.L.C., and Turbo Investors, LLC (the "Motion").<sup>1</sup>

5. At the Trustee's direction, my colleagues at AlixPartners and I have reviewed the books and records of BLMIS. During the course of my involvement in this matter, I have personally reviewed thousands of documents, as well as schedules prepared and information collected by my colleagues, relating to the books and records of BLMIS, third party records, bank records and other documentation relevant to BLMIS and its customer accounts and information systems. I have reviewed the books and records of BLMIS and the customer claims filed, analyzing the cash deposit activity, cash withdrawal activity, and transfers between accounts.

6. For purposes of the Motion, the Trustee selected five BLMIS accounts held by the following: 1A0001 held by AHT Partners, 1CM580 held by Pergament Equities, LLC, 1CM827 held by SMT Investors LLC, 1G0322 held by Greene/Lederman, L.L.C., and 1T0052

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<sup>1</sup> Capitalized terms used herein and not otherwise defined shall have the meanings ascribed to them in the Motion. Certain exhibits attached to this Declaration have been partially redacted to remove sensitive personal information.

held by Turbo Investors, LLC (collectively, the “Limited Liability Companies”), which accounts (the “Accounts”) are listed on Exhibit 1.

7. At the request of the Trustee, my colleagues at AlixPartners and I engaged in a review of the claims and other information provided by the Objecting Claimants to determine the account of which the Objecting Claimants were claiming to have invested.

8. If an Objecting Claimant failed to provide a BLMIS account number, my colleagues at AlixPartners and I reviewed the claim and any supplemental information attached to the claim form. The supplemental information may have included account statements, corporate formation documents, or other Objecting Claimants’ explanations concerning their exposure to BLMIS. The objections filed by Objecting Claimants generally also mention one of the Limited Liability Companies. The results of that review are set out on Exhibits 2 and 3.

9. Each of the Objecting Claimants bases his or her customer claim on the Objecting Claimant’s relationship to one of the Limited Liability Companies and its Account. Each Objecting Claimant’s claim seeks a portion of the same account money that was also claimed by the Limited Liability Company.

10. On the attached Exhibit 1, the fifth column displays the number of docketed objections filed by Objecting Claimants that AlixPartners was able to correlate to one of the Accounts.

11. Exhibit 2 provides a list of the 20 claims and 16 objections filed by Objecting Claimants who claim to hold an interest in one or more of the Limited Liability Company accounts and that have outstanding objections to the Trustee’s determination of their claims. Exhibit 2 also identifies the Objecting Claimants’ claim numbers, the docket numbers of the objections as filed with the Court, the lawyers originally representing the Objecting Claimants,

the Account-holding Limited Liability Company to which the Objecting Claimants claim a right, and the Limited Liability Company Account number. Each of the claims identified on Exhibit 2 was denied by the Trustee on the grounds that the Objecting Claimants lacked accounts with BLMIS and were not customers of BLMIS.

12. Exhibit 3 provides additional information for the same claims set out in Exhibit 2, including the date and results of the Trustee's claim determinations, and the date each objection was filed.

13. AHT Partners, Pergament Equities, LLC, SMT Investors LLC, and Greene/Lederman, L.L.C., each filed a direct claim related to its Account seeking a distribution from the fund of customer property for its Account.

14. Turbo Investors, LLC did not file a direct claim related to its Account seeking a distribution from the fund of customer property.

15. A letter of determination was sent to Pergament Equities, LLC denying its customer claim on the grounds that it was a net winner, *i.e.*, that it had withdrawn more money from its BLMIS Account than had been deposited.

16. Letters of determination were also sent to AHT Partners, SMT Investors LLC and Green/Lederman allowing their claims.

17. Attached hereto as Exhibit 4 is a true and correct copy of the BLMIS customer file for AHT Partners (a.k.a. AHT Associates, LLC).

18. Attached hereto as Exhibit 5 is a true and accurate copy of claim 000929, filed with the Trustee by AHT Partners.

19. Attached hereto as Exhibit 6 is a true and correct copy of claim 003352, filed with the Trustee on behalf of Marion L. Brazaitis.

20. Attached hereto as Exhibit 7 is a true and accurate copy of the November 30, 2008 statement for AHT Partners.

21. Attached hereto as Exhibit 8 is a true and accurate correct copy of the BLMIS customer file for Pergament Equities, LLC.

22. Attached hereto as Exhibit 9 is a true and accurate copy of claim 013520, filed with the Trustee by Corey & Linda Platzner.

23. Attached hereto as Exhibit 10 is a true and accurate copy of claim 013521, filed with the Trustee by The Platzner Organization, LLC.

24. Attached hereto as Exhibit 11 is a true and accurate copy of the November 30, 2008 statement for Pergament Equities, LLC.

25. Attached hereto as Exhibit 12 is a true and correct copy of the BLMIS customer file for SMT Investors LLC.

26. Attached hereto as Exhibit 13 is a true and correct copy of supplemental documentation provided to the Trustee by SMT Investors LLC.

27. Attached hereto as Exhibit 14 is a true and accurate copy of claim 015840, filed with the Trustee by Alexander Mendik 1986 Trust.

28. Attached hereto as Exhibit 15 is a true and accurate copy of claim 015838, filed with the Trustee by Susan Mendik Trust U/W/O Jean Batkin.

29. Attached hereto as Exhibit 16 is a true and accurate copy of claim 015837, filed with the Trustee by Susan Mendik.

30. Attached hereto as Exhibit 17 is a true and accurate copy of claim 015841, filed with the Trustee by Alexander Mendik.

31. Attached hereto as Exhibit 18 is a true and accurate copy of claim 015839, filed with the Trustee by Nancy J Batkin 1998 Trust.

32. Attached hereto as Exhibit 19 is a true and accurate copy of claim 013083, filed with the Trustee by Nancy Batkin 2003 Trust.

33. Attached hereto as Exhibit 20 is a true and accurate copy of claim 015842, filed with the Trustee by Nancy Batkin Troy.

34. Attached hereto as Exhibit 21 is a true and accurate copy of the November 30, 2008 statement for SMT Investors LLC.

35. Attached hereto as Exhibit 22 is a true and correct copy of the BLMIS customer file for Greene/Lederman, L.L.C..

36. Attached hereto as Exhibit 23 is a true and accurate copy of certain pages excerpted from claim 000900, filed with the Trustee by Greene/Lederman, L.L.C..

37. Attached hereto as Exhibit 24 is a true and accurate copy of claim 002788, filed with the Trustee by Annette Daniels.

38. Attached hereto as Exhibit 25 is a true and accurate copy of claim 002787, filed with the Trustee by Annette Daniels.

39. Attached hereto as Exhibit 26 is a true and accurate copy of claim 004590, filed with the Trustee by Charles D. Daniels.

40. Attached hereto as Exhibit 27 is a true and accurate copy of claim 015582, filed with the trustee by Roy M. Schrager.

41. Attached hereto as Exhibit 28 is a true and accurate copy of claim 015581, filed with the trustee by Roy M. Schrager.

42. Attached hereto as Exhibit 29 is a true and accurate copy of claim 001720, filed with the trustee by Roy M. Schrager.

43. Attached hereto as Exhibit 30 is a true and accurate copy of claim 001721, filed with the trustee by Roy M. Schrager.

44. Attached hereto as Exhibit 31 is a true and accurate copy of claim 001722, filed with the trustee by Hermene Schrager.

45. Attached hereto as Exhibit 32 is a true and accurate copy of claim 001723, filed with the trustee by Hermene Schrager.

46. Attached hereto as Exhibit 33 is a true and accurate copy of the November 30, 2008 statement for Greene/Lederman, L.L.C..

47. Attached hereto as Exhibit 34 is a true and correct copy of the BLMIS customer file for Turbo Investors, LLC.

48. Attached hereto as Exhibit 35 is a true and accurate copy of claim 008381, filed with the Trustee on behalf of David Gopen Foundation, c/o Robert Gopen, Trustee.

49. Attached hereto as Exhibit 36 is a true and accurate copy of the November 30, 2008 statement for Turbo Investors, LLC.

50. The Accounts were in the names of their respective Limited Liability Company, not the Objecting Claimants, as detailed on Exhibit 1 attached hereto. The books and records of BLMIS do not reflect individual deposits or withdrawals by the Objecting Claimants. The amounts that the Objecting Claimants allege are owed to them are not discernable from the books and records of BLMIS.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true  
and correct.

Executed on September 15, 2016  
New York, New York

A handwritten signature in dark ink, appearing to read "V. Sehgal", is positioned above a horizontal line.

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Vineet Sehgal  
Managing Director  
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New York, New York 10022